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5 AT&T CORPORATION

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8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10

11 AT&T CORPORATION,   ) Case No. C07-02440 MMC
)
12   Plaintiff,   ) JOINT FEDERAL RULE OF CIVIL
) PROCEDURE, RULE 26(f) REPORT
13 v.   )
) [F.R.C.P., Rule 26(f)]
14 DATAWAY INC. and dba DATAWAY   )
    DESIGNS,   ) S/C DATE: November 9, 2007
15   ) TIME: 10:30 a.m.
            Defendants.   ) CTRM: 7
16 _____)

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18   The parties, through their undersigned attorneys, hereby submit their Rule 26(f) report,

19 as follows:

20

21   (1)   The parties intend to take limited written discovery and depositions of party

22 witnesses (February 29, 2008 discovery cut-off date);

23

24   (2)   Both parties anticipate motions for summary judgment or partial summary

25 judgment (April 30, 2008 dispositive motion cut-off date);

26

27   (3)   Settlement negotiations occurred prior to commencement of litigation; court

28 sponsored mediation may prove beneficial to the prospects of settlement;

                                        1   F.R.C.P., RULE 26(f) REPORT

1   (4)   3-4 day jury trial (May 20, 2008 FSC; June 2, 2008 trial).

2

3   (5)   No addition of parties is anticipated.

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5   (6)   Jury trial.

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7   (7)   The case presents no unusual issues affecting the status or management of the

8   case.

9

10   (8)   Neither severance nor bifurcation is warranted.

11

12   DATED: October 30, 2007   AIRES LAW FIRM

13

14   By:

15   Timothy Carl Aires, Esq.
                                    Attorney for Plaintiff,
                                    AT&T CORPORATION

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17   DATED: October 30, 2007   MATLOCK LAW GROUP

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19   By:

20   Anne Leith-Matlock, Esq.
                                    Attorney for Defendant,
                                    DATAWAY INC. and dba DATAWAY DESIGNS

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2   F.R.C.P., RULE 26(f) REPORT

1   <u>**CERTIFICATE OF SERVICE**</u>

2   I, Donna L. Westphal, declare:

3   I am a citizen of the United States and am employed in the County of Contra

4 Costa, State of California. I am over the age of 18 years and am not a party to the

5 within action. My business address is Matlock Law Group, A Professional Corporation,

6 961 Ygnacio Valley Road, Walnut Creek, California 94596. I am personally familiar

7 with the business practice of Matlock Law Group, A Professional Corporation.

8   On November 2, 2007, following ordinary business practice, I caused service of

9 the following documents:

10

11   **JOINT FEDERAL RULE OF CIVIL PROCEDURE, RULE 26(F) REPORT**

12

13 to be completed by:

14

15   Electronic service in accordance with the
Subject Rule and/or General Orders in this
Matter upon:

16

17

18   Timothy Carl Aires
Aires Law Firm
180 Newport Center Drive, Suite 260

19   Newport Beach, CA 92660

20

21   I declare under penalty of perjury under the laws of the United States that the

22 above is true and correct and that this declaration was executed at Walnut Creek,

23 California.

24

25

26 DATED: November 2, 2007   _____

27   Donna Westphal

28